

December 9, 2005



Freeborn & Peters LLP

**VIA FEDERAL EXPRESS**

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

**Re: Surface Transportation Board Docket No. AB-6 (Sub-No. 435X); Docket No. AB-987X; The Burlington Northern and Santa Fe Railway Company Abandonment of Albany, Illinois**

*Attorneys at Law*

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Dear Secretary Williams:

Enclosed is a recently received response we just received from the Village of Albany regarding the Albany, IL abandonment, AB-6 (Sub-No. 435X ); Docket No. AB-987X.

Sincerely,

Brian Nettles

215344 215345

*Chicago*

*Springfield*

/bn  
Enclosures

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In Reply Refer  
to File No.  
Albany

December 6, 2005

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RECEIVED

Mr. Brian Nettles, Paralegal  
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Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Mr. Nettles:

Our office will be representing the Village of Albany regarding the BNSF Railway Company Abandonment of 5.09 miles of railroad line between Railroad Mile Post # 20.36 to Mile Post # 25.40 near Albany, Illinois. The Board of Trustees of the Village has reviewed the Environmental and Historical Report.

It is the intention of the Village of Albany to file a request for both a public use condition and a trail use condition. Some of the reasons Albany intends to file for such conditions are as follows:

1. The railway line under consideration for abandonment travels through the entire length of the Village of Albany along the Mississippi River.
2. The line runs through the middle of the Stephen B. Hanks Boat Launch Area which is a public access area to the Mississippi River and boat launch area supported by significant public grants from the State of Illinois.
3. The line runs close to the Albany Mounds State Historic Site which is a preserved site of burial grounds for Indians and Indian artifacts.
4. The Village for many years has monitored the use of the railway closely hoping for an abandonment because of the need for the railway line for the Great River Recreational Trail. The abandoned railway line is vital to that Great River Recreational Trail.

Mr. Brian Nettles  
Page Two  
December 6, 2005

Thank you.

Very truly yours,

WEINSTINE, SHIRK & BUCKWALTER-SCHURMAN, P.C.

By:



William R. Shirk

WRS:so